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# ANNOTATIONS TO THE PROVISIONAL AGENDA

Prepared by the Secretary-General

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Item 1. Election of officers

1. Rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council provides that "at the commencement of its first meeting of a regular session the Commission shall elect, from among the representatives of its members, a Chairman, one or more Vice-Chairmen and such other officers as may be required".

Item 2. Adoption of the agenda

2. Rule 7 of the rules of procedure provides that "the Commission shall at the beginning of each session, after the election of its officers, ... adopt the agenda for that session on the basis of the provisional agenda".

3. The Commission will have before it the provisional agenda (E/CN.4/1995/1) prepared by the Secretary-General in accordance with rule 5 of the rules of procedure, as well as the present annotations relating to the items included in the provisional agenda.

Item 3. Organization of the work of the session

4. The attention of the Commission is drawn to the relevant resolutions concerning control and limitation of documentation (inter alia, General Assembly resolution 33/56 and Economic and Social Council resolutions 1981/83 and 1982/50). Furthermore, the Commission will recall that at its last eleven sessions it set time-limits for statements (see E/1994/24, E/CN.4/1994/132, para. 15). In view of the existing financial constraints and the overall reductions imposed, the session must be most carefully planned from the outset, bearing in mind the absolute need for maximum effectiveness in the use of the resources available.

5. The attention of the Commission is also drawn to Economic and Social Council decision 1994/277 of 25 July 1994, by which the Council, taking note of Commission on Human Rights decision 1994/112 of 11 March 1994, decided to authorize, if possible within existing financial resources, 40 fully serviced additional meetings, including summary records, for the fifty-first session of the Commission. The Council took note of the Commission's decision to request the Chairman, at its fifty-first session, to make every effort to organize the work of the session within the time normally allotted, the additional meetings to be held only if they prove absolutely necessary.

6. On 11 March 1994, by its decision 1994/111 entitled "Rationalization of the work of the Commission", the Commission, reaffirming its resolution 1993/98, decided to convene an informal, open-ended working group, open to all participants, under the chairmanship of the Chairman of its fiftieth session for a maximum period of 10 working days to discuss:

(a) The reclustering of the Commission's agenda, with a view to proposing a provisional agenda for the fifty-first session;

(b) Organizational matters related to the above, including the organization of work and documentation;

(c) A preliminary inventory of other reforms.

Commission decision 1994/111 was endorsed by the Economic and Social Council in its decision 1994/276 of 25 July 1994. The Commission will have before it the report of the chairman of the Commission at its fiftieth session concerning the above issue (E/CN.4/1995/17).

7. The attention of the Commission is also drawn to Economic and Social Council resolution 1990/48 of 25 May 1990 in which the Council authorized the Commission to meet exceptionally between its regular sessions, provided that a majority of States members of the Commission so agreed. In this connection, the Economic and Social Council adopted, on 28 July 1993, decision 1993/286 on the procedure for special sessions of the Commission on Human rights.

Working groups

8. The session will be preceded by meetings of the seven pre-sessional working groups referred to in E/CN.4/1995/1, paragraph 3 (a) to (g).

Composition of the Commission

9. The composition of the Commission for 1995 is the following. The term of membership of each State expires on 31 December of the year indicated in brackets.

Algeria (1997), Angola (1997), Australia (1996), Austria (1996), Bangladesh (1997), Benin (1997), Bhutan (1997), Brazil (1995), Bulgaria (1997), Cameroon (1996), Canada (1997), Chile (1997), China (1996), Colombia (1997), Côte d'Ivoire (1996), Cuba (1997), Dominican Republic (1997), Ecuador (1996), Egypt (1997), El Salvador (1997), Ethiopia (1997), Finland (1995), France (1995), Gabon (1997), Germany (1996), Guinea-Bissau (1995), Hungary (1996), India (1997), Indonesia (1996), Italy (1996), Japan (1996), Malawi (1996), Malaysia (1995), Mauritania (1996), Mauritius (1995), Mexico (1995), Nepal (1997), Netherlands (1997), Nicaragua (1997), Pakistan (1995), Peru (1996), Philippines (1997), Poland (1995), Republic of Korea (1995), Romania (1995), Russian Federation (1997), Sri Lanka (1997), Sudan (1995), Togo (1995), United Kingdom of Great Britain and Northern Ireland (1997), United States of America (1995), Venezuela (1996) and Zimbabwe (1997).

Assistance to Guatemala in the field of human rights

10. The Commission may wish to recall its resolution 1994/58, adopted at its fiftieth session, in which it decided to consider the question at its fifty-first session under the agenda item "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories" or the item "Advisory services in the field of human rights", in the light of the

adoption and application of specific and significant measures by the Government, the effectiveness of which would be assessed in the report of the independent expert on the situation of human rights in Guatemala.

11. The report of the independent expert will be before the Commission at its present session (E/CN.4/1995/15).

Situation of human rights in Togo

12. In its resolution 1994/78, the Commission requested the Secretary-General to bring the resolution to the attention of the Togolese authorities and to request them to indicate, as soon as possible, the action taken in pursuance of the resolution. The Secretary-General was also requested to report to the Commission, at its fifty-first session, on the basis of any information which might be gathered on the situation of human rights in Togo. The Commission decided to consider the question at its fifty-first session under the relevant agenda item, with a view to concluding it, in the light of the requested report by the Secretary-General. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/16).

Indigenous people

13. In its resolution 1994/26, the Commission on Human Rights decided to consider the subject of the International Decade of the World's Indigenous People at its fifty-first session. The General Assembly, in its resolution 48/163, proclaimed the International Decade of the World's Indigenous People and requested that the meeting to be convened in accordance with its resolution 46/128 also consider preparations for the Decade, particularly with regard to the elaboration of a detailed plan of action. In accordance with General Assembly resolution 46/128, the Commission on Human Rights convened a technical meeting to evaluate the International Year of the World's Indigenous People. The report of the technical meeting is contained in document E/CN.4/1995/18.

14. In its resolution 1994/45, the Sub-Commission on Prevention of Discrimination and Protection of Minorities decided to adopt the draft United Nations declaration on the rights of indigenous peoples and submit the text to the Commission on Human Rights at its fifty-first session. The draft declaration is contained in document E/CN.4/Sub.2/1994/2/Add.1.

15. In its resolution 1994/28, the Commission on Human Rights decided to consider at its fifty-first session the question of a permanent forum for indigenous people in the United Nations.

Item 4. Question of the violation of human rights in the occupied Arab territories, including Palestine

16. The Commission has been seized of the human rights situation in the territories occupied by Israel as a result of the hostilities of June 1967 every year since its twenty-fourth session (1968).

17. At its fiftieth session, the Commission adopted resolution 1994/2, in which it decided to include this item in the provisional agenda of its fifty-first session as a matter of high priority.

18. In accordance with paragraph 6 of resolution 1994/2, the Commission will have before it the report of the Secretary-General on the implementation of this resolution (E/CN.4/1995/20).

19. At its fiftieth session, the Commission adopted resolution 1994/3 A and B in which it decided to consider the question under this item on the agenda of the fifty-first session as a matter of priority.

20. In accordance with paragraph 5 of resolution 1994/3 A and paragraph 5 of resolution 1994/3 B, the Commission will have before it the report of the Secretary-General on the implementation of this resolution (E/CN.4/1995/21) and a note by the Secretary-General listing United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation (E/CN.4/1995/22).

21. In paragraph 4 of its resolution 1993/2 A, the Commission decided to appoint a special rapporteur with the mandate to investigate Israel's violations of the principles and bases of international law, international humanitarian law and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian territory occupied by Israel since 1967, to receive communications, to hear witnesses and to report to the Commission at its future sessions, until the end of the Israeli occupation of those territories.

22. The Commission will have before it the second report of the Special Rapporteur, Mr. René Felber (E/CN.4/1995/19).

23. The Commission also adopted resolutions 1994/1 and 1994/5 relevant to this item.

24. At its forty-sixth session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, on 25 August 1994, adopted resolution 1994/13 on the situation in the Middle East.

Item 5. Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts

25. The Ad Hoc Working Group of Experts on southern Africa was established by the Commission on Human Rights in accordance with its resolution 2 (XXIII) of 6 March 1967. Since then, the Commission has renewed the mandate of the Ad Hoc Working Group regularly, and most recently at its forty-ninth session in resolution 1993/9. The Ad Hoc Working Group is composed of Mr. Leliel Mikuin Balanda (Chairman-Rapporteur) (Zaire), Mr. Armando Entralgo (Cuba),

Mr. Felix Ermacora (Austria), Mr. Elly E.E. Mtango (United Republic of Tanzania), Mr. Zoran Pajic (Bosnia and Herzegovina) and Mr. Mulka G. Reddy (India).

26. At its fiftieth session, in resolution 1994/10, the Commission requested the Ad Hoc Working Group to continue to examine the situation regarding the violations of human rights in South Africa including, in particular, reports of torture, ill-treatment and deaths of detainees, infringement of trade-union rights, as well as the situation of women and children, and to submit a preliminary report to the General Assembly at its forty-ninth session and its final report to the Commission on Human Rights at its fifty-first session.

27. In the same resolution the Commission welcomed the invitation by the Government of South Africa to the Ad Hoc Working Group of Experts to visit South Africa in 1994 to gather information from individuals and organizations in order to ascertain the situation of human rights in South Africa.

28. The Commission will have before it the final report of the Ad Hoc Working Group (E/CN.4/1995/23).

Item 6. Monitoring and assisting the transition to democracy in South Africa

29. At its fiftieth session, the Commission adopted resolution 1994/8, in which it decided, in view of the changing situation in South Africa, to replace the agenda item entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime in South Africa" with an item entitled "Monitoring and assisting the transition to democracy in South Africa". The Commission also decided to consider the issues to be raised by the Special Rapporteur in her report to the fifty-first session of the Commission on Human Rights under the new agenda item.

30. The Commission took note with appreciation of the report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1993/11/Add.1) for her updated report, and requested the Special Rapporteur to undertake two missions to South Africa in 1994 to gain further insights in the whole process of transition to democracy in South Africa and to report to the Commission at its fifty-first session. Through its decision 1994/242 of 22 July 1994, the Economic and Social Council approved the Commission's requests.

31. At its forty-sixth session, the Sub-Commission in its resolution 1994/3 requested the Special Rapporteur to submit her second and final report on the steps and measures being taken by the Government of South Africa with regard to the transition to democracy to the Commission at its fifty-first session and to the Sub-Commission at its forty-seventh session.

32. At the present session, the Commission will have before it the report of the Special Rapporteur of the Sub-Commission (E/CN.4/1995/24).

Item 7. Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including: problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development

33. The Commission, in its resolution 2 (XXXI) of 10 February 1975, decided to keep this item on its agenda as a standing item with high priority. In 1989, it modified the original sub-item (a), entitled "Problems related to the right to enjoy an adequate standard of living; the right to development", and decided to consider the right to development under a separate agenda item at its forty-sixth session; it also decided to add to the original sub-item (a) a specific point, entitled "Foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development".

34. At its fiftieth session, the Commission adopted resolution 1994/11, in which it requested the Secretary-General to submit, in a process of high-level consultations with heads of State or Government, heads of the multilateral financial institutions and specialized agencies, as well as intergovernmental and non-governmental organizations, a report to the Commission at its fifty-first session on the adequate measures to be implemented in order to find a durable solution to the debt crisis of developing countries so that they might fully enjoy all human rights.

35. At the present session, the Commission will have before it a note by the Secretary-General submitting the report of the Seminar on Extreme Poverty and the Denial of Human Rights (E/CN.4/1995/101), which was held pursuant to Commission resolution 1994/12 and Economic and Social Council decision 1994/243. The above report will be also submitted to the World Summit on Social Development to be held at Copenhagen in 1995.

36. At its forty-sixth session, the Sub-Commission adopted several resolutions concerning this item: 1994/37, entitled "Measures towards the full realization of economic, social and political rights; 1994/38, entitled "Promoting the realization of the right of adequate housing"; 1994/39, entitled "Forced evictions"; 1994/40, entitled "Human rights and income distribution"; 1994/41, entitled "Human rights and extreme poverty" and 1994/42, entitled "Human rights dimensions of population transfer, including the implantation of settlers and settlements" .

37. Under this item, the Commission will have before it the following documents: report of the Secretary-General on the adequate measures for a durable solution to the debt crisis (E/CN.4/1995/25); note by the secretariat submitting the report of the Seminar on Extreme Poverty and the Denial of Human Rights (E/CN.4/1995/101).

38. The Commission will also have before it draft resolutions IV and V, contained in chapter I, section A, and draft decisions 10 and 11, contained in chapter I, section B of the report of the Sub-Commission on its forty-sixth session (E/CN.4/1995/2-E/CN.4/Sub.2/1994/56).

Item 8. Question of the realization of the right to development

39. The Declaration on the Right to Development was proclaimed by the General Assembly in its resolution 41/128 of 4 December 1986. The Commission decided to include this question under a separate item on its agenda in its resolution 1989/45.

40. At its forty-ninth session, the Commission adopted resolution 1993/22, in which it decided to establish a working group on the right to development composed of 15 experts with a mandate to identify obstacles to the implementation and realization of the Declaration on the Right to Development and to recommend ways and means towards the realization of the right to development by all States.

41. In its resolution 1994/21, the Commission decided that the Working Group would hold two sessions in 1994 to continue to carry out its mandate. This decision was endorsed by the Economic and Social Council in its decision 1994/245.

42. Moreover, in its resolution 1994/21, the Commission also made a number of requests to the Secretary-General, the High Commissioner for Human Rights, the Assistant Secretary-General for Human Rights, the General Assembly, the Economic and Social Council and the Working Group on the Right to Development, with regard to the realization of the right to development.

43. At the present session, the Commission will have before it in connection with this item the reports of the Working Group on its second and third sessions (E/CN.4/1995/11 and E/CN.4/1995/27).

44. It will also have before it the report of the Secretary-General on the implementation of resolution 1994/21 (E/CN.4/1995/26).

Item 9. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

Situation in occupied Palestine

45. In paragraph 3 of its resolution 1994/5, the Commission requested the Secretary-General to transmit the resolution to the Government of Israel and to all other Governments, to distribute it on the widest possible scale and to make available to the Commission on Human Rights, prior to the convening of its fifty-first session, all information pertaining to the implementation of the resolution by the Government of Israel. It also decided to consider the situation in occupied Palestine under this item as a matter of high priority.

46. At its present session, the Commission will have before it a note by the Secretary-General (E/CN.4/1995/21).

Question of the use of mercenaries

47. At its forty-third session, the Commission, in resolution 1987/16, decided to appoint for one year a special rapporteur to examine the question of the use of mercenaries as a means of violating human rights and of impeding the exercise of the right of peoples to self-determination. On 1 September 1987, the Chairman of the Commission appointed Mr. Enrique Bernales Ballesteros (Peru) as Special Rapporteur of the Commission.

48. At its forty-eighth session, the Commission adopted resolution 1992/6, in which it extended the mandate of the Special Rapporteur for three years, to enable him to carry out further studies on the use of mercenaries and to make recommendations to the Commission accordingly. The Economic and Social Council approved the extension of the mandate in its decision 1992/225.

49. At its fiftieth session, the Commission adopted resolution 1994/7, in which it requested the Special Rapporteur to report to the Commission at its fifty-first session on all further developments concerning the use of mercenaries, wherever that might occur.

50. At its present session, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/29).

Item 10. Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

(a) Torture and other cruel, inhuman or degrading treatment or punishment;

(b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(c) Question of enforced or involuntary disappearances;

(d) Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Question of human rights and states of emergency

51. The Commission, in its resolution 1994/43, noting Sub-Commission resolution 1993/28, recommended the Economic and Social Council to endorse the requests made by the Sub-Commission:

(a) To Mr. Leandro Despouy, Special Rapporteur on human rights and states of emergency, to continue to update the list of states of emergency, and to include in his annual report to the Sub-Commission and to the Commission, recommendations on inalienable or non-derogable rights:

(b) To the Secretary-General to provide the Special Rapporteur with all the assistance he may require to carry out his work, to maintain cooperation with different sources of information and databases, and to process the information submitted to him in an effective way.

52. By its decision 1994/252 of 22 July 1994, the Council endorsed the above requests.

53. The Commission will have before it a note by the Secretary-General (E/CN.4/1995/41) transmitting the updated report of the Special Rapporteur on human rights and states of emergency to the Sub-Commission at its forty-sixth session (E/CN.4/Sub.2/1994/23/and Corr.1 and Add.1).

Staff members of the United Nations and the specialized agencies in detention

54. In its resolution 1994/42, the Commission requested the Secretary-General to continue his efforts to ensure that the human rights, privileges and immunities of United Nations staff members, experts and their families were fully respected. It also requested him to submit to the Commission, at its fifty-first session, an updated version of the report on the situation of United Nations staff members, experts and their families detained, imprisoned, missing or held in a country against their will, including those cases which had been successfully settled since the presentation of the last report, as well as on the implementation of the measures referred to in the above resolution. The Sub-Commission, in its resolution 1994/15, supported the initiative of the Commission with regard to resolution 1994/42.

55. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/40).

Right to freedom of opinion and expression

56. In its resolution 1993/45, the Commission requested its Chairman to appoint, for a period of three years, an individual of recognized international standing as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. The Chairman of the Commission, after consultation with the Bureau appointed Mr. A. Hussain (India) as Special Rapporteur on the rights to freedom of opinion and expression.

57. The Commission, at its fiftieth session, in its resolution 1994/33 requested the Special Rapporteur to submit to the Commission at its fifty-first session a report covering the activities relating to his mandate.

58. At its present session the Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/32).

Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

59. At its fiftieth session, the Commission adopted resolution 1994/41 in which it requested the Chairman of the Commission to appoint, for a period of three years, a special rapporteur to: (a) enquire into substantial allegations transmitted to him; (b) identify and record not only attacks on the independence of the judiciary, lawyers and court officials but also progress achieved in protecting and enhancing their independence, and make concrete recommendations including the provision of advisory services or technical assistance whenever they are requested by the State concerned; and

(c) study important and topical questions of principle with a view to protecting and enhancing the independence of the judiciary and lawyers. The Commission also requested the prospective Special Rapporteur to report to it at its fifty-first session. The Economic and Social Council, in its decision 1994/251, endorsed Commission resolution 1994/41. Accordingly, the Chairman of the Commission, after consultation with the Bureau, appointed Dato' Param Cumaraswamy (Malaysia) Special Rapporteur.

60. At its present session, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/39).

Human rights in the administration of justice

61. At its forty-fourth session, the General Assembly adopted resolution 44/162, in which it requested the Commission to invite the Sub-Commission to study the practical implementation of United Nations norms and standards in the administration of justice and human rights. At its forty-eighth session, the General Assembly adopted resolution 48/137 in which it urged the Secretary-General to consider favourably requests for assistance by States in the field of the administration of justice within the framework of the United Nations programme of advisory services and technical cooperation in the field of human rights and to strengthen coordination of activities in this field.

62. At its fiftieth session, the Commission adopted resolution 1994/30, in which, welcoming General Assembly resolution 48/137, it requested the Secretary-General to report to the Commission at its fifty-first session on the provision of technical assistance and advisory services in the field of the administration of justice to Governments desiring to improve their promotion and protection of human rights. The Sub-Commission, in its resolution 1994/34, recommended the establishment of a comprehensive programme within the system of advisory services and technical cooperation in order to help States in the task of building and strengthening national structures.

63. At the present session, the Commission will have before it the report of the Secretary-General on the provision of technical assistance and advisory services in the field of the administration of justice (E/CN.4/1995/30).

64. At its forty-fourth session, the Sub-Commission adopted resolution 1992/25 in which it welcomed the proposal by the Secretary-General to organize a meeting of experts on the application of international standards concerning the human rights of detained juveniles. In its resolution 1993/80, the Commission also welcomed that proposal. The Economic and Social Council, by its decision 1993/280, gave its approval.

65. The Commission will have before it the report of the Secretary-General, pursuant to Commission resolution 1993/80, of the meeting on the application of international standards concerning the human rights of detained juveniles, held at Vienna from 30 October to 4 November 1994 (E/CN.4/1995/100).

Question of arbitrary detention

66. At its forty-seventh session, the Commission adopted resolution 1991/42, in which it decided to create, for a three-year period, a working group composed of five independent experts, with the task of investigating cases of detention imposed arbitrarily or otherwise inconsistently with relevant international standards and that the Working Group, in carrying out its mandate, should seek and receive information from Governments, intergovernmental and non-governmental organizations, and should receive information from the individuals concerned, their families or their representatives.

67. At its fiftieth session, the Commission adopted resolution 1994/32, in which it decided to extend for a three-year period the mandate of the Working Group, and requested the Working Group to submit a report to the Commission, at its fifty-first session, and to make any suggestions and recommendations which would enable it to discharge its task even better, particularly in regard to ways and means of ensuring effective follow-up to its decisions, in cooperation with Governments and to continue its consultations to that end within the framework of its terms of reference.

68. At the present session, the Commission will have before it the report of the Working Group (E/CN.4/1995/31 and Add.1-3).

Human rights and forensic science

69. By its decision 1994/249 of 22 July 1994, the Economic and Social Council, noting Commission on Human Rights resolution 1994/31, approved the Commission's request to the Secretary-General:

(a) To maintain and enlarge the list of forensic experts and experts in related fields who could be requested to help international mechanisms in the field of human rights, Governments and the Centre for Human Rights of the Secretariat in providing technical and advisory services, advice in regard to the monitoring of human rights violations and training of local teams and/or assistance in the reunification of families of the disappeared;

(b) To provide appropriate resources, within existing overall United Nations resources, to fund the activities of the Centre for Human Rights in implementing Commission resolution 1994/31.

70. The Commission, in its resolution 1994/31 also decided to consider this question at its fifty-second session under the agenda item entitled "Question of the human rights of all persons subjected to any form of detention or imprisonment".

Other matters

71. In connection with agenda item 10, the Commission may wish to note the following resolutions adopted by the Sub-Commission at its forty-sixth session: resolution 1994/9, entitled "Situation of children deprived of their

liberty"; resolution 1994/33, entitled "Right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms"; resolution 1994/35, entitled "The right to a fair trial".

72. The Commission will have before it draft decisions 6 and 9, contained in chapter I, section B, of the report of the Sub-Commission on its forty-sixth session (E/CN.4/1995/2-E/CN.4/Sub.2/1994/56).

Sub-item (a) Torture and other cruel, inhuman or degrading treatment or punishment

Special Rapporteur on the question of torture

73. At its forty-first session the Commission, in its resolution 1985/33, decided to appoint a special rapporteur to examine questions relevant to torture. Mr. Peter Kooijmans (Netherlands) was subsequently appointed Special Rapporteur. His mandate was extended by the Commission, most recently in resolution 1992/32 for three years. Following Mr. Kooijmans' resignation in December 1992, Mr. Nigel S. Rodley (United Kingdom of Great Britain and Northern Ireland) was appointed Special Rapporteur in April 1993.

74. In its resolution 1994/37, the Commission decided that the Special Rapporteur, in carrying out his mandate, should continue to seek and receive credible and reliable information from Governments, the specialized agencies and intergovernmental and non-governmental organizations and should report to the Commission at its fifty-first session.

75. At its present session the Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/34 and Add.1; E/CN.4/1995/111).

United Nations Voluntary Fund for Victims of Torture

76. The United Nations Voluntary Fund for Victims of Torture was established in December 1981 by the General Assembly (resolution 36/151) for the purpose of receiving voluntary contributions for distribution, through established channels of assistance, as humanitarian, legal and financial aid to individuals who had been tortured and to their relatives. In its resolution 1994/36, the Commission expressed its gratitude and appreciation to those Governments, organizations and individuals that had already contributed to the Fund and appealed to those in a position to do so to respond favourably to requests for contributions, if possible on a regular basis, and annually before the meeting of the Board of Trustees. The Commission also requested the Secretary-General to keep it informed of the operations of the Fund on an annual basis.

77. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/33).

Sub-item (b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

78. In its resolution 1994/38, the Commission requested the Secretary-General to continue to submit to the Commission annual reports on the status of the

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was opened for signature on 4 February 1985 and entered into force on 26 June 1987. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/35).

Sub-item (c) Question of enforced or involuntary disappearances

79. In pursuance of General Assembly resolution 33/173, the Commission by resolution 20 (XXXVI) of 29 February 1980, decided to establish for a period of one year a working group consisting of five of its members, to serve as experts in their individual capacities, to examine questions relevant to enforced or involuntary disappearances of persons. At its thirty-seventh to forty-first sessions, the Commission extended the term of the Working Group's mandate by one year; from its forty-second to forty-sixth sessions, the mandate was extended by two years.

80. At its forty-eighth session, in resolution 1992/30, the Commission decided to extend the Working Group's mandate for three years and requested the Working Group to report on its work to the Commission at its forty-ninth session. At present the Working Group is made up of Mr. Jonas K.D. Foli (Ghana), Mr. Diego García Sayán (Peru), Mr. Aga Hilaly (Pakistan), Mr. Manfred Novak (Austria) and Mr. Ivan Tosevski (the Former Yugoslav Republic of Macedonia, Chairman/Rapporteur).

81. At its fiftieth session, the Commission, in its resolution 1994/72, in which it decided to extend the mandate of the Special Rapporteur on the situation of human rights in the Former Yugoslavia for another year, requested the Working Group, represented by one of its members, to cooperate as appropriate with the Special Rapporteur in dealing with the issue of enforced disappearances in the territory of the Former Yugoslavia. In this connection, the Chairman of the Working Group designated Mr. Manfred Novak as the Working Group's representative. A report on his activities carried out in this regard is before the Commission.

82. Also at its fiftieth session, the Commission adopted resolution 1994/39, in which it requested the Working Group to report on its work to the Commission at its fifty-first session.

83. The Commission will have before it the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1995/36) and the report of Mr. Novak on disappearances in the Former Yugoslavia (E/CN.4/1995/37).

Sub-item (d) Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

84. The draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was submitted by Costa Rica on 6 March 1980 and is designed to establish a system of visits by a subcommittee of experts to places of detention within the jurisdiction of the States parties to the protocol.

85. At its forty-eighth session, the Commission adopted resolution 1992/43, in which it decided to establish an open-ended inter-sessional working group to elaborate a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, using as a basis for its discussion the draft text proposed by the Government of Costa Rica on 22 January 1991, and to consider implications of its adoption and the relationship between the draft optional protocol, regional instruments and the Committee against Torture.

86. At its fiftieth session, the Commission, having considered the second report submitted by the working group (E/CN.4/1994/25 and Add.1) adopted resolution 1994/40, in which it requested the open-ended Working Group to meet between sessions prior to the fifty-first session of the Commission in order to continue its work and to submit a new report to the Commission.

87. The working group met from 17 to 28 October 1994 at Geneva.

88. At the present session, the Commission will have before it the report of the working group (E/CN.4/1995/38).

Item 11. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

(a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

(b) National institutions for the promotion and protection of human rights

(c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights

(d) Human rights, mass exoduses and displaced persons

89. The item on the further promotion and encouragement of human rights and fundamental freedoms has been on the agenda of the Commission since 1963 (resolution 8 (XIX)).

Sub-item (a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

Public information activities

90. The attention of the Commission is drawn to its resolution 1994/52, entitled "Development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights", in which it requested the Secretary-General to submit to the Commission, at its fifty-first session, a report on public information activities with special emphasis on the activities of the World Campaign,

including details of the costs incurred in 1993 and the budget envisaged for future activities and other questions raised in resolution 1994/52. The Commission decided to continue its consideration of the question at its fifty-first session under agenda item 11.

91. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/46).

Regional arrangements

92. At its fiftieth session, the Commission adopted resolution 1994/48, entitled "Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region", in which it requested the Secretary-General to consult the States in the Asian and Pacific region on the widest possible basis in the implementation of the resolution and to submit a report to the Commission at its fifty-first session.

93. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/51).

Human rights and terrorism

94. The attention of the Commission is drawn to its resolution 1994/46 entitled "Human rights and terrorism", in which it urged all thematic special rapporteurs and working groups to address as appropriate the consequences of the acts, methods and practices of terrorist groups. In accordance with the request made in the resolution, the Secretary-General continued to collect information on this question from all relevant sources and has made it available to the special rapporteurs and working groups.

Thematic procedures

95. The attention of the Commission is also drawn to resolution 1994/53, entitled "Human rights and thematic procedures", in which the Commission encouraged thematic special rapporteurs and the Working Group on Enforced or Involuntary Disappearances to follow closely the progress made by Governments in their investigations carried out within their respective mandates, and requested the Secretary-General to issue annually the conclusions and recommendations of thematic special rapporteurs and working groups, so as to enable further discussion of their implementation at subsequent sessions of the Commission.

96. The Commission will have before it a note by the Secretary-General on this subject (E/CN.4/1995/47).

Human rights and unilateral coercive measures

97. The Commission will have before it the report of the Secretary-General on the question of human rights and unilateral coercive measures (E/CN.4/1995/43), submitted pursuant to Commission resolution 1994/47.

Civil defence forces

98. At its fiftieth session, the Commission also adopted resolution 1994/67, entitled "Civil defence forces", in which it invited the special rapporteurs, working groups and treaty bodies concerned to continue to pay due attention, within their mandates, to the matter of civil defence forces in relation to the protection of human rights and fundamental freedoms.

Violence against women

99. At its fiftieth session, the Commission adopted resolution 1994/45, entitled "The question of integrating the rights of women into the human rights mechanism of the United Nations and the elimination of violence against women", in which it decided to appoint, for a three-year period, a special rapporteur on violence against women, including its causes and consequences, who will report to the Commission on an annual basis beginning at its fifty-first session. After consultations with the other members of the Bureau, the Chairman of the Commission at its fiftieth session decided to appoint Ms. Radhika Coomaraswamy (Sri Lanka) as Special Rapporteur. The Commission also requested the Secretary-General to ensure that the reports of the Special Rapporteur are brought to the attention of the Commission on the Status of Women and called for intensified effort at an international level to integrate the equal status of women and the human rights of women into the mainstream of United Nations system-wide activity and to address these issues regularly and systematically throughout relevant United Nations bodies and systems.

100. The Economic and Social Council, in its decision 1994/254 of 22 July 1994, approved the requests of the Commission.

101. The Commission will have before it the preliminary report submitted by the Special Rapporteur (E/CN.4/1995/42).

AIDS

102. At its fiftieth session, the Commission adopted resolution 1994/49 entitled "Protection of human rights in the context of human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS)", in which it requested the Secretary-General to prepare for the consideration of the Commission at its fifty-first session a report on international and domestic measures taken to protect human rights and to prevent discrimination in the context of HIV/AIDS and to make appropriate recommendations thereon.

103. At the present session the Commission will have before it the report of the Secretary-General (E/CN.4/1995/45).

Education and human rights

104. At its fiftieth session, the Commission adopted resolution 1994/51, entitled "Proclamation of a decade for human rights education", in which it invited the Secretary-General to submit to the General Assembly at its forty-ninth session, through the Economic and Social Council, a plan of action incorporating any additional activities which might result from consultation

with the High Commissioner for Human Rights, Member States, bodies specializing in the field, governmental and non-governmental organizations and other appropriate bodies, as provided for in General Assembly resolution 48/127, paragraph 4.

105. The Economic and Social Council, by its decision 1994/255 of 22 July 1994, approved the initiative of the Commission.

Effective functioning of the various mechanisms

106. At its fiftieth session, the Commission adopted resolution 1994/97, entitled "Effective functioning of the various mechanisms established for supervising, investigating and monitoring the implementation of the treaty obligations entered into by States in regard to human rights and the implementation of the existing international standards in this regard", in which it decided that, in the course of the forthcoming rationalization of the Commission's work, the report of the Secretary-General on this question (E/CN.4/1994/42), prepared in accordance with Commission resolution 1993/58, should be considered. The Commission also decided to consider this question at its fifty-first session under the same agenda item.

Sub-item (b) National institutions for the promotion and protection of human rights

107. At its fiftieth session, the Commission adopted resolution 1994/54, in which it welcomed the convening of the second International Workshop on National Institutions for the Promotion and Protection of Human Rights, held at Tunis in December 1993.

108. The Commission requested the Centre for Human Rights, with the assistance of national institutions and their Coordinating Committee, to provide technical assistance for States wishing to establish or strengthen their national institutions and to organize training programmes for national institutions which requested them, and invited Governments to contribute additional funds to the Voluntary Fund for Technical Cooperation in the Field of Human Rights for those purposes. The Commission also requested the Secretary-General to convene a third international workshop on national institutions for the promotion and protection of human rights during 1995 in either Latin America or Asia, to invite Governments and intergovernmental organizations to contribute to the Voluntary Fund and to finance attendance by representatives of national institutions from the Voluntary Fund. The Commission further requested the Secretary-General to prepare a report, to be submitted to the Commission at its fifty-first session, drawing on comments by States and national institutions, and recalling the World Conference on Human Rights, concerning possible forms of participation by national institutions in United Nations meetings dealing with human rights.

109. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/48).

Sub-item (c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights

110. At its fiftieth session, the Commission adopted resolution 1994/55, entitled "Strengthening of the Centre for Human Rights", in which it requested the Secretary-General to enhance the role and importance of the Centre for Human Rights, under the overall supervision of the High Commissioner for Human Rights, as a coordinating unit within the United Nations system with respect to human rights. The Commission also requested the Secretary-General to ensure that sufficient resources from within the regular budget were accorded, as a matter of urgency, to the Centre for Human Rights, in order to enable it to undertake all its functions, in full and on time.

Sub-item (d) Human rights, mass exoduses and displaced persons

Human rights and mass exoduses

111. At its fiftieth session, the Commission adopted resolution 1994/66, in which it requested the Secretary-General to invite Governments, intergovernmental organizations, specialized agencies and non-governmental organizations to provide information and to prepare, within existing resources, and submit to the Commission at its fifty-first session a report containing information and views on solutions that they have found to be effective in the area of mass exoduses, a compilation of information and recommendations from human rights mechanisms on problems resulting in mass exoduses of populations or impeding their voluntary return home and his views on the matters referred to in his report.

112. At its present session the Commission will have before it the report of the Secretary-General (E/CN.4/1995/49).

Internally displaced persons

113. At its forty-ninth session, the Commission adopted resolution 1993/95, in which it requested the Secretary-General to extend the mandate of his representative on internally displaced persons, Mr. Francis Deng (Sudan), for a period of two years, in order for him to continue his work aimed at the better understanding of the general problems faced by the internally displaced, and their possible long-term solutions, and to identify, where required, ways and means of improving protection for and assistance to them. It also requested the representative to submit annual reports on his activities to the General Assembly and to the Commission.

114. At its fiftieth session, the Commission adopted resolution 1994/68, in which it encouraged the representative to continue his review of the needs for protection and assistance to internally displaced persons, including his compilation of existing norms, the needs of women and children, the collection of information and the means of providing protection and assistance to internally displaced persons, including institutional aspects thereof.

115. At its present session the Commission will have before it the report of the representative of the Secretary-General on internally displaced persons (E/CN.4/1995/50 and Add. 1-4).

Item 12. Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including:

(a) Question of human rights in Cyprus;

(b) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided for in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990

116. By resolution 1164 (XLI) of 5 August 1966, the Economic and Social Council welcomed the decision of the Commission in its resolution 2 B (XXII) of 25 March 1966 to consider, at its twenty-third session, the question of its tasks and functions and its role in relation to violations of human rights. In resolution 2144 A (XXI) of 26 October 1966, the General Assembly invited the Council and the Commission to give urgent consideration to ways and means of improving the capacity of the United Nations to put a stop to violations of human rights wherever they might occur. Pursuant to these resolutions, the Commission adopted resolution 8 (XXIII) of 16 March 1967, in which it decided to give annual consideration to an item on the question of violations of human rights and fundamental freedoms. The title of the item was later modified by the Commission. Subsequently, the Economic and Social Council adopted resolutions 1235 (XLII) and 1503 (XLVIII) on the question of violations of human rights and fundamental freedoms.

117. In resolution 32/130, the General Assembly decided that, in approaching human rights questions within the United Nations system, the international community should accord, or continue to accord, priority to the search for solutions to the mass and flagrant violations of human rights of peoples and persons affected by various situations referred to in the resolution. The Assembly reiterated those views in subsequent resolutions, including resolution 37/199. In resolution 34/175, entitled "Effective action against mass and flagrant violations of human rights", the Assembly urged the appropriate United Nations bodies, within their mandates, particularly the Commission, to take timely and effective action in existing and future cases of mass and flagrant violations of human rights. By resolution 37/200, the General Assembly urged all States to cooperate with the Commission in its study of violations of human rights and fundamental freedoms in any part of the world and requested the Commission to continue its efforts to improve the capacity of the United Nations system to take urgent action in cases of serious violations of human rights.

Situation of human rights in various countries

118. At its fiftieth session, the Commission considered, and took action on, the situation of human rights in the following countries:

Situation of human rights in the Islamic Republic of Iran

119. In its resolution 1994/73, the Commission decided to extend the mandate of the Special Representative, Mr. Reynaldo Galindo Pohl (El Salvador), as contained in Commission resolution 1984/54, for a further year and also requested him to submit an interim report to the General Assembly at its forty-ninth session on the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups, such as the Baha'is, and to report to the Commission at its fifty-first session. The Economic and Social Council, in its decision 1994/263, approved that decision and request.

120. The Commission will have before it the report of the Special Representative (E/CN.4/1995/55).

Situation of human rights in Equatorial Guinea

121. In its resolution 1993/69, the Commission requested its Chairman, following consultations with the Bureau, to appoint an individual of recognized international standing in the field of human rights as special rapporteur of the Commission, with a mandate to make a thorough study of the violations of human rights by the Government of Equatorial Guinea, on the basis of all the information which he considered relevant. The Chairman of the Commission appointed Mr. Alejandro Artucio Rodríguez (Uruguay) as Special Rapporteur on the situation of human rights in Equatorial Guinea. In its resolution 1994/89, the Commission decided to renew the mandate of the Special Rapporteur for one year. The Commission also requested the Special Rapporteur to report to the Commission at its fifty-first session and decided to consider the question under agenda item 12. The Economic and Social Council, in its decision 1994/271, approved the Commission's decision and request. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/68).

Situation of human rights in Afghanistan

122. In its resolution 1994/84, the Commission decided to extend the mandate of the Special Rapporteur, Mr. Felix Ermacora (Austria), for one year and to request him to report to the General Assembly at its forty-ninth session and to the Commission at its fifty-first session. The Economic and Social Council, in its decision 1994/268, approved that decision and request. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/64).

Situation of human rights in Myanmar

123. In its resolution 1994/85, the Commission decided to extend for one year the mandate of the Special Rapporteur, Mr. Yozo Yokota (Japan), to establish or continue direct contacts with the Government and the people of Myanmar, including political leaders deprived of their liberty, their families

and their lawyers, and requested him to report to the General Assembly at its forty-ninth session and to the Commission on Human Rights at its fifty-first session. The Economic and Social Council, in its decision 1994/269, approved that decision and request. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/65).

Situation of human rights in Cuba

124. In accordance with Commission resolution 1992/61, Mr. Johan-Carl Groth (Sweden) was appointed in August 1992 Special Rapporteur on the situation of human rights in Cuba. At its fiftieth session, the Commission adopted resolution 1994/71 in which it extended the mandate of the Special Rapporteur for one more year. The Commission requested the Special Rapporteur to maintain direct contacts with the Government and citizens of Cuba, as specified in past resolutions of the Commission. It also requested the Special Rapporteur to submit an interim report to the General Assembly at its forty-ninth session and to report to the Commission at its fifty-first session on the results of his endeavours. The Economic and Social Council, in its decision 1994/261, approved these requests. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/52).

Situation of human rights in the territory of the former Yugoslavia: violations of human rights in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)

125. In its resolution 1994/72 the Commission on Human Rights decided to extend for one year the mandate of the Special Rapporteur, Mr. Tadeusz Mazowiecki, originally established by the Commission at its first special session on 14 August 1992 in resolution 1992/S-1/1 and extended by the Commission at its forty-ninth session in resolution 1993/7, and requested that he continue to submit to the Commission and the General Assembly periodic reports, as appropriate, on the implementation of the resolution and other relevant human rights resolutions regarding all countries of the former Yugoslavia except Slovenia. The Commission requested the Secretary-General to continue to make the Special Rapporteur's reports available to the Security Council and to the International Conference on the Former Yugoslavia. The Economic and Social Council, in its decision 262 approved this decision and request. At its fiftieth session the Commission also adopted resolutions 1994/75, entitled "Situation of human rights in Bosnia and Herzegovina"; 1994/77, entitled "Rape and abuse of women in the territory of the former Yugoslavia"; and 1994/76, entitled "Situation of human rights in Kosovo", in which it requested the Secretary-General to report to the Commission at its fifty-first session. In compliance with resolution 1994/72 the Special Rapporteur submitted periodic reports in June (E/CN.4/1995/4), August (E/CN.4/1995/10) and November 1994 (E/CN.4/1995/54), and a report to the General Assembly (A/49/641-S/1994/1252). The Commission will also have before it the report of the Special Rapporteur (E/CN.4/1995/57) and the report of the Secretary-General on the situation of human rights in the Republic of Bosnia and Herzegovina (E/CN.4/1995/62).

Situation of human rights in Iraq

126. In its resolution 1994/74, the Commission on Human Rights decided to extend for a further year the mandate of the Special Rapporteur, Mr. Max van der Stoel (Netherlands), and requested him to submit an interim report to the General Assembly at its forty-ninth session and a report to the Commission at its fifty-first session. The Economic and Social Council approved this decision and request in its decision 1994/278. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/56).

Situation of human rights in Haiti

127. In its resolution 1994/80, the Commission decided to extend for one more year the mandate of the Special Rapporteur, Mr. Marco Tulio Bruni Celli (Venezuela), established by Commission resolution 1992/77 and requested him to submit an interim report to the General Assembly at its forty-ninth session and a final report to the Commission at its fifty-first session. The Economic and Social Council, in its decision 1994/266, approved that decision and request. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/59).

Situation of human rights in the Sudan

128. In its resolution 1994/79, the Commission on Human Rights decided to extend the mandate of the Special Rapporteur as contained in resolution 1993/60, for an additional year and requested him to report his findings and recommendations to the General Assembly at its forty-ninth session and to the Commission on Human Rights at its fifty-first session. The Economic and Social Council, in its decision 1994/265, approved that decision and request. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/58).

Situation of human rights in Rwanda

129. At its third special session in May 1994, the Commission on Human Rights adopted resolution 1994/S-3/1, in which it requested its Chairman to appoint a special rapporteur, for an initial period of one year, to investigate at first-hand the human rights situation in Rwanda and receive relevant, credible information on the human rights situation there, including on root causes and responsibilities for the recent atrocities. On 25 May 1994, before closing the third special session, the Chairman of the Commission appointed Mr. René Degni-Ségui as Special Rapporteur. The Economic and Social Council, in its decision 223 of 6 June 1994, approved resolution S-3/1. Pursuant to this resolution, the Special Rapporteur submitted a preliminary report in July 1994 (E/CN.4/1995/7), and further reports in August (E/CN.4/1995/12) and in October 1994 (E/CN.4/1995/70). At the present session, the Commission will have before it the above-mentioned reports, as well as a fourth report of the Special Rapporteur containing information on the latest developments (E/CN.4/1995/71).

Extrajudicial, summary or arbitrary executions

130. At its thirty-seventh session the Commission, in its resolution 1982/29, decided to appoint a special rapporteur to submit a comprehensive report on the occurrence and extent of the practice of summary or arbitrary executions. Mr. Amos Wako (Kenya) was subsequently appointed Special Rapporteur and his mandate renewed thereafter. In its resolution 1992/72 the Commission extended the mandate for another three years. Following the resignation in early March 1992 of Mr. Wako, the Commission, in the same resolution, requested its Chairman, after consultation with the Bureau, to appoint an individual of recognized international standing as special rapporteur. As a result, Mr. Bacre Waly Ndiaye (Senegal) was appointed Special Rapporteur in April 1992.

131. In resolution 1994/82, the Commission requested the Special Rapporteur to continue to examine situations of extrajudicial, summary or arbitrary executions and to continue to submit on an annual basis his findings, together with conclusions and recommendations, to the Commission on Human Rights, and in his next report to continue to pay special attention to extrajudicial, summary or arbitrary executions of children and women and to allegations concerning violations of the right to life in the context of violence against participants in demonstrations and other peaceful public manifestations, or against persons belonging to national or ethnic, religious and linguistic minorities, as well as to continue monitoring the implementation of existing international standards on safeguards and restrictions relating to the imposition of capital punishment.

132. At its present session the Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/61 and Add.1; E/CN.4/1995/111).

Human rights violations in the Papua New Guinea island of Bougainville

133. In its resolution 1994/81, the Commission requested the Secretary-General, in the light of developments between the adoption of the resolution on 9 March 1994 and 30 September 1994, to consider the appropriateness of appointing a special representative. No special representative was appointed.

134. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/60).

Situation of human rights in Zaire

135. In its resolution 1994/87, the Commission invited its Chairman to appoint, after consultations with the Bureau, a special rapporteur mandated to establish direct contacts with the authorities and the people of Zaire. The Commission's decision was approved by the Economic and Social Council in its decision 1994/270.

136. The subsequently appointed Special Rapporteur, Mr. Roberto Garretón (Chile), was requested by the Commission in resolution 1994/87 to report to it at its fifty-first session, on the basis of any information which might be gathered on the situation of human rights in Zaire, including information supplied by non-governmental organizations.

137. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/67).

Situation of human rights in Burundi

138. In its resolution 1994/86, the Commission requested the Secretary-General to report to it on the situation of human rights in Burundi at its fifty-first session, on the basis of all relevant information, and decided to consider the question at its fifty-first session. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/66).

Situation in East Timor

139. At its fiftieth session the Commission heard a statement read out by the Chairman indicating its consensus agreement in connection with the situation of human rights in East Timor. In that statement the Commission, inter alia, requested the Secretary-General to keep it informed on the situation of human rights in East Timor, which it would consider at its fifty-first session. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/72).

Cooperation with representatives of United Nations human rights bodies

140. In its resolution 1994/70, the Commission invited the Secretary-General to submit a report at its fifty-first session containing a compilation and analysis of any available information, from all appropriate sources, on alleged reprisals against those who seek to cooperate or have cooperated with representatives of United Nations human rights bodies, or who have provided testimony or information to them; those who avail or have availed themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms and all those who have provided legal assistance to them for this purpose; those who submit or have submitted communications under procedures established by human rights instruments and those who are relatives of victims of human rights violations; and decided to consider the question again at its fiftieth session. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/53).

Situation of human rights in southern Lebanon

141. In its resolution 1994/83, the Commission requested the Secretary-General to bring the resolution to the attention of the Government of Israel, to invite it to provide information concerning the extent of its implementation thereof and to report to the Commission at its fifty-first session on the results of his efforts in that regard. The Commission will have before it the report of the Secretary-General (E/CN.4/1995/63).

Action of the Sub-Commission at its forty-sixth session

142. Within the framework of the present item, the attention of the Commission is drawn to the following resolutions adopted by the Sub-Commission at its forty-sixth session: 1994/1, "Situation in Rwanda"; 1994/12, "The situation of the Greek ethnic minority in Albania: infringements of the rules for a fair trial"; 1994/13, "Situation in the Middle East"; 1994/14, "Situation of human rights in Iraq"; 1994/16, "Situation of human rights in the Islamic Republic of Iran"; 1994/17, "Situation in Burundi"; 1994/18 "Human rights and Terrorism"; 1994/19, "Situation of human rights in Chad"; 1994/20, "Situation of human rights in Togo"; 1994/21, "Situation in Bougainville"; 1994/22, "Situation of human rights in Haiti"; 1994/23, "Situation of human rights in Guatemala"; and to the following decisions 1994/102, "Consideration of the situation of human rights in Rwanda"; 1994/111, "Humanitarian situation in Iraq"; 1994/112, "Situation in the Palestinian and other Arab territories occupied by Israel; 1994/113 "Concepts and issues relating to 'enclaved groups'".

Sub-item (a) Question of human rights in Cyprus

143. This question was first considered by the Commission at its thirty-second session, when it adopted resolution 4 (XXXIII) of 27 February 1976. The Commission has had this question on its agenda since then. At its fiftieth session, by decision 1994/110, the Commission decided to postpone debate on the sub-item to its fifty-first session and to give it due priority at that session, it being understood that action required by previous resolutions of the Commission on the subject would continue to remain operative, including the request to the Secretary-General to provide a report regarding their implementation. At its present session the Commission will have before it the report of the Secretary-General (E/CN.4/1995/69).

Sub-item (b) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided for in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990

144. Under the procedure for dealing with communications relating to violations of human rights and fundamental freedoms, governed by Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970, the Commission on Human Rights is called on to examine particular situations which appear to reveal a consistent pattern of gross and reliably attested violations of human rights, referred to it by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Since 1974, particular situations relating to 61 countries have been referred to the Commission by the Sub-Commission under the procedure.

145. To assist the Commission in carrying out its task under the so-called 1503 procedure, the Economic and Social Council, by resolution 1990/41 of 25 May 1990, authorized the establishment, on a

permanent basis, of a five-member working group of the Commission, to be referred to as the Working Group on Situations. Prior to that time, the Commission had set up such a working group annually, on an ad hoc basis, since 1974, with the approval of the Council. The role of the Working Group on Situations is to examine the particular situations referred to the Commission under the procedure, including the situations which the Commission has decided to keep under review within the framework of the procedure, and to make recommendations to the Commission on the course of action to take in respect of each particular situation.

146. Over the years, the Commission has adopted a number of procedural decisions aimed at facilitating government cooperation under the 1503 procedure: the Governments directly concerned are invited to submit written observations on the situations which the Commission has before it (decision 3 (XXX) of 6 March 1974, para. 4); the text of the relevant recommendations of the Working Group on Situations are made available to the Governments concerned prior to the meetings of the Commission (decision 14 (XXXV) of 12 March 1979); the Governments concerned are invited to attend the relevant closed meetings of the Commission, to participate in the debate and to be present during the adoption of the Commission's decisions (decisions 5 (XXXIV) of 3 March 1978 and 9 (XXXVI) of 7 March 1980).

147. All actions taken under the 1503 procedure remain confidential until such time as the Commission may decide to make recommendations to the Council. The documentation pertaining to the procedure is also confidential.

148. At its fifty-first session, the Commission will have before it the report of the Working Group on Situations, as well as other confidential documents pertaining to the sub-item, including the confidential report of the forty-sixth session of the Sub-Commission (E/CN.4/1995/R.1 and addenda) and government replies and observations (issued, as received, in document series E/CN.4/GR.1993/..; E/CN.4/GR.1994/..; and E/CN.4/1995/R.2 and addenda). In addition, the Commission will have before it the relevant earlier material relating to the situations of which the Commission has been seized. The above-mentioned confidential documents will be handed to the members of the Commission at the session.

149. Chapter X of the report of the Sub-Commission on the work of its forty-sixth session (E/CN.4/1995/2-E/CN.4/Sub.2/1994/56) is also relevant to this sub-item.

Item 13. Measures to improve the situation and ensure the human rights and dignity of all migrant workers

150. Questions concerning the human rights of migrant workers have been the subject of attention at several sessions of the Commission.

151. The General Assembly, in resolution 45/158 of 18 December 1990, adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

152. At its fiftieth session, in resolution 1994/17, the Commission requested the Secretary-General to report on the status of the Convention and on the efforts made by the Secretariat to promote the Convention and the protection of the rights of migrant workers. At the present session the Commission will have before it the report of the Secretary-General (E/CN.4/1995/73).

Item 14. Human rights and scientific and technological development

153. Pursuant to resolution XI of the International Conference on Human Rights held at Tehran in 1968, human rights problems arising from scientific and technological developments have been examined by the General Assembly at various sessions. They have also been on the agenda of the Commission as a standing item since its twenty-seventh session. At its thirty-ninth session, the Commission decided to consider this item on a biennial basis.

Human rights and bioethics

154. At its forty-ninth session, the Commission on Human Rights, in its resolution 1993/91, invited Governments, the specialized agencies and other organizations of the United Nations system, in particular the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, and other intergovernmental, particularly regional, organizations and non-governmental organizations to inform the Secretary-General of activities being carried out to ensure that the life sciences developed in a manner respectful of human rights. The Commission further invited States to inform the Secretary-General of legislative or other measures taken to this effect, including the possible establishment of national consultative bodies, with a view to promoting exchanges of experience between such institutions.

155. Pursuant to the above-mentioned resolution, the Commission will have before it the report of the Secretary-General prepared on the basis of the contributions received (E/CN.4/1995/74).

Item 15. Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid

156. The International Convention on the Suppression and Punishment of the Crime of Apartheid was adopted and opened to signature and ratification on 30 November 1973 by the General Assembly in resolution 3068 (XXVIII). It entered into force on 18 July 1976.

157. In 1980, the Commission decided, by resolution 12 (XXXVI), to maintain this question on its agenda as a standing item.

158. At its fifty-first session, the Commission will have before it:

(a) A note by the Secretary-General concerning the status of the Convention (E/CN.4/1995/102);

(b) The report of the Group of Three (E/CN.4/1995/76).

Item 16. Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination

159. At its forty-ninth session, the Commission adopted resolution 1993/20, in which it decided to appoint, for a three-year period, a special rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance, and requested the special rapporteur to report thereon to the Commission on an annual basis, beginning at its fiftieth session. The Chairman of the Commission, after consultation with the Bureau, appointed Mr. Glélé-Ahanhanzo (Benin) as Special Rapporteur. The Economic and Social Council by its decision 1993/258 approved the Commission's decision.

160. At its fiftieth session, the Commission adopted resolution 1994/64 in which it took note of the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (E/CN.4/1994/66) and welcomed the Special Rapporteur's proposal concerning the organization of an interdisciplinary seminar on the theoretical aspects and specific manifestations of contemporary forms of racism, racial discrimination and xenophobia. The Commission requested the Special Rapporteur to examine incidents of contemporary forms of racism, racial discrimination, any forms of discrimination against Blacks, Arabs and Muslims, xenophobia, negrophobia, anti-Semitism, and related intolerance, as well as governmental measures to overcome them, and to report on these matters to the Commission at its fifty-first session. The Commission requested the Secretary-General to provide the Special Rapporteur with all the necessary assistance in carrying out his mandate and enabling him to submit an interim report to the General Assembly at its forty-ninth session and a comprehensive report to the Commission at its fifty-first session.

161. At its fiftieth session, the Commission also adopted resolution 1994/9, in which it took note of the note by the Secretary-General transmitting the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination (A/48/423).

162. In the same resolution, the Commission requested the Secretary-General to submit to the Commission a detailed annual report on (a) All activities of the United Nations bodies and the specialized agencies, analysing information received on such activities to combat racism and racial discrimination; (b) Measures to be taken to improve the coordination of the activities of the Programme of Action or to supplement, on the basis of the discussions in plenary, the Programme of Action for the Third Decade. Furthermore, the Commission decided to consider, as a matter of high priority, the implementation of the Programme of Action.

163. At its present session, the Commission will have before it:

The report of the Secretary-General on the activities for the Third Decade to Combat Racism and Racial Discrimination (E/CN.4/1995/77);

The annual report on racial discrimination submitted by the International Labour Organisation (E/CN.4/1995/104);

The annual report on racial discrimination submitted by the United Nations Educational, Scientific and Cultural Organization (E/CN.4/1995/105);

The report of the Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance (E/CN.4/1995/78 and Add.1).

164. The attention of the Commission is also drawn to the note by the Secretary-General transmitting the report of the Special Rapporteur on contemporary forms of racism and racial discrimination and xenophobia to the General Assembly (A/49/677).

Item 17. Status of the International Covenants on Human Rights

165. In its resolution 1994/15, the Commission requested the Secretary-General to submit to it, at its fifty-first session, a report on the status of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and its Optional Protocols, including all reservations and declarations. Accordingly, the Commission will have before it information on the status of the International Covenants on Human Rights (E/CN.4/1995/79), as well as the reservations, declarations, notifications and objections relating to the International Covenant on Economic, Social and Cultural Rights (E/C.12/1993/3) and the International Covenant on Civil and Political Rights and the Optional Protocols thereto (CCPR/C/2/Rev.4).

Succession of States in respect of international human rights treaties

166. At its fiftieth session, the Commission adopted resolution 1994/16, in which it requested the Secretary-General to report to the Commission at its fifty-first session in regard to action taken under this agenda item.

167. At the present session, the Commission will have before it the report of the Secretary-General (E/CN.4/1995/80).

Item 18. Effective functioning of bodies established pursuant to United Nations human rights instruments

168. This item has been included on the agenda of the Commission since its forty-sixth session.

169. In its resolution 1994/19, the Commission requested the Secretary-General to give high priority to establishing a computerized database to improve the efficiency and effectiveness of the functioning of the treaty bodies; requested the Secretary-General to give priority of expediting the implementation of the recommendations of the Task Force on Computerization as soon as possible by requesting the States Members of the United Nations, in particular States which are parties to various human rights instruments, to cover the initial one-time cost of the proposed system; urged the treaty bodies to examine ways of reducing the duplication of reporting required under different instruments and of generally reducing the reporting burden on Member States; welcomed the emphasis placed by the meeting of persons chairing

the human rights treaty bodies on the importance of technical assistance and advisory services; urged all States parties whose reports had been examined by treaty-bodies to provide adequate follow-up to the observations and final comments of the treaty bodies on their reports; recommended that the reporting obligations adopted by treaty bodies be amended to identify gender-specific information to be addressed by States parties in their reports; requested the Secretary-General to report on the question of the provision of adequate resources to the various treaty bodies; and decided to consider the question of the effective functioning of bodies established pursuant to United Nations human rights instruments on a priority basis at its fifty-first session.

170. The attention of the Commission is drawn to the note by the Secretary-General transmitting the report of the fifth meeting of persons chairing human rights treaty bodies (A/49/537) and the report of the Secretary-General on financing and adequate staff resources for the operations of the human rights treaty bodies (A/49/...).

171. At the present session, the Commission will have before it the report of the Secretary-General on the effective functioning of bodies established pursuant to United Nations human rights instruments (E/CN.4/1995/82).

Item 19. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-sixth session

172. The report of the Sub-Commission is considered annually by the Commission. The report of the Sub-Commission on its forty-sixth session is contained in document E/CN.4/1995/2-E/CN.4/Sub.2/1994/56.

173. At its forty-sixth session, the Sub-Commission adopted 50 resolutions and 19 decisions, which are reproduced in the report.

174. Chapter I, sections A and B, of the report of the Sub-Commission contains 5 draft resolutions and 17 draft decisions proposed to the Commission for action. They are as follows:

Draft resolutions

I. Prevention of Discrimination and Protection of Minorities

II. Human rights and the environment

III. Question of human rights and states of emergency

IV. Promoting the realization of the right to adequate housing

V. Human rights and extreme poverty

Draft decisions

1. A world conference against racism, racial and ethnic discrimination, xenophobia and other related contemporary forms of intolerance

2. Report of the Working Group on Contemporary Forms of Slavery

3. United Nations Trust Fund on Contemporary Forms of Slavery

4. Machinery for monitoring the international conventions on slavery

5. Question of the implications for human rights of United Nations action, including humanitarian assistance, in addressing international humanitarian problems and in the promotion and protection of human rights

6. Recognition of gross and large-scale violations of human rights as an international crime

7. Discrimination in the context of human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS)

8. Traditional practices affecting the health of women and children

9. The right to a fair trial

10. Measures towards the full realization of economic, social and cultural rights

11. Human rights and income distribution

12. Discrimination against indigenous peoples

13. International Decade of the World's Indigenous People

14. Protection of the heritage of indigenous peoples

15. Participation of indigenous persons and organizations in the bodies of the United Nations during discussion of the draft United Nations Declaration on the rights of indigenous peoples

16. Permanent forum in the United Nations for indigenous peoples

17. Study on treaties, agreements and other constructive arrangements between States and indigenous populations.

175. Annex IV to the report of the Sub-Commission contains the resolutions and decisions of the Sub-Commission which are drawn to the Commission's attention for its consideration or action.

176. In its resolution 1994/23, the Commission called upon the Sub-Commission, in the fulfilment of its functions and duties, to be guided by the relevant resolutions of the Commission and the Economic and Social Council and decided to invite the Chairman of the Sub-Commission at its forty-sixth session to report to the Commission at its fifty-first session on the progress made concerning the issues referred to in the resolution and on significant aspects of the work of the Sub-Commission. The Commission also invited its Chairman to inform the Sub-Commission on the debate under this item.

177. In the same resolution, the Commission reiterated its invitation to the Sub-Commission to continue, in particular in the sessional working group to be convened pursuant to Sub-Commission resolution 1993/4 of 20 August 1993, its consideration of ways in which its work should be improved, with a view to making recommendations, in particular on the following points:

(a) Initiatives for better coordination with the Commission;

(b) Proposals concerning the rationalization of the agenda, bearing in mind, inter alia, the relationship between the agenda of the Sub-Commission and that of the Commission;

(c) Initiatives which would facilitate the widest possible dissemination of the findings of the Sub-Commission.

178. At its forty-sixth session, the Sub-Commission adopted decision 1994/105, in which it decided to establish a sessional working group on methods of work of the Sub-Commission. The sessional working group met during the forty-sixth session of the Sub-Commission and submitted its report (E/CN.4/Sub.2/1994/3).

179. At its forty-sixth session, the Sub-Commission also adopted decision 1994/117, in which it decided to adopt the report of the sessional working group, including its recommendations, which should be strictly adhered to, and that, at its forty-seventh session, on an experimental basis, item 6 relating to the question of violations of human rights would be considered as soon as the agenda was approved.

180. At the present session, the Commission will have before it under this item the following documents:

Report of the Sub-Commission on its forty-sixth session (E/CN.4/1995/2-E/CN.4/Sub.2/1994/56);

Report of the Chairman of the Sub-Commission pursuant to Commission resolution 1994/23 (E/CN.4/1995/83).

Item 20. Rights of persons belonging to national or ethnic, religious and linguistic minorities

181. The Commission has continued to examine this question since its thirty-fourth session.

182. At its forty-seventh session, the General Assembly, in its resolution 47/135, adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

183. At its forty-eighth session, in resolution 48/138, the General Assembly called upon the Commission on Human Rights to examine ways and means to promote and protect effectively the rights of persons belonging to minorities as set out in the Declaration.

184. At its fiftieth session, the Commission adopted resolution 1994/22, in which it urged States to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and to give effect to the Declaration on the Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities. In addition, the Commission requested the Secretary-General to seek views and information from Governments, the specialized agencies, relevant United Nations organs and bodies, regional intergovernmental organizations and bodies and non-governmental organizations and experts in all regions on issues relating to the promotion and implementation of the Declaration.

185. The attention of the Commission is drawn to the recommendations contained in Sub-Commission resolution 1994/4. (See also draft resolution I)

186. At the present session, the Commission will have before it the report of the Secretary-General to the General Assembly on the implementation of resolution 48/138 and the report of the Secretary-General pursuant to Commission resolution 1993/22 (E/CN.4/1995/84).

187. The Commission will have before it draft resolution I as contained in Chapter I, section A, of the report of the Sub-Commission on its forty-sixth session (E/CN.4/1995/2-E/CN.4/Sub.2/1994/56).

Item 21. Advisory services and the Voluntary Fund for Technical Cooperation in the Field of Human Rights

188. At its fiftieth session, the Commission adopted resolution 1994/69, in which it requested the Secretary-General to prepare an inventory and to undertake an analysis of the availability of advisory services and technical cooperation in the field of human rights from all sources, both multilateral and bilateral. The Commission also requested the Secretary-General to report annually to the Commission on the implementation of the programme of advisory services and technical assistance in the field of human rights and on the operation and administration of the Voluntary Fund for Technical Cooperation in the Field of Human Rights.

189. At the present session, the Commission will have before it the report of the Secretary-General on advisory services and technical assistance and on the administration and operation of the Voluntary Fund for Technical Cooperation in the Field of Human Rights (E/CN.4/1995/89).

Situation of human rights in Cambodia

190. In its resolution 1994/61 the Commission welcomed the establishment of the operational presence of the Centre for Human Rights in Cambodia on 1 October 1993 to implement the activities set out in Commission resolution 1993/6 of 19 February 1993. The Commission requested the Special Representative of the Secretary-General to report to it at its fifty-first session and to provide an interim report to the General Assembly at its forty-ninth session, and requested the Secretary-General to renew the mandate of the Special Representative as set out in Commission resolution 1993/6.

191. The Commission also decided to continue consideration of this matter at its fifty-first session under the agenda item entitled "Advisory services in the field of human rights".

192. The Commission will also have before it the report of the Special Representative of the Secretary-General (E/CN.4/1995/87).

Situation of human rights in Albania

193. At its fiftieth session, the Commission adopted resolution 1994/57, in which it requested the Secretary-General to bring the resolution to the attention of the Government of Albania and to invite the Government to provide information regarding its implementation, and to report to the Commission at its fifty-first session.

194. At the present session, the Commission will have before it the report of the Secretary-General (E/CN.4/1995/85).

Situation of human rights in Romania

195. At its fiftieth session, the Commission requested the Secretary-General to present to the Commission on Human Rights at its fifty-first session a final evaluation on the fulfilment of the programme of advisory services and invited the Government of Romania to provide the necessary information to this effect, including information on the progress achieved in overcoming remaining shortcomings.

196. At the present session, the Commission will have before it the report of the Secretary-General (E/CN.4/1995/90).

Assistance to Somalia in the field of human rights

197. At its fiftieth session, the Commission adopted resolution 1994/60, in which it requested the Secretary-General to extend for 12 months the mandate of the independent expert to assist the Special Representative of the Secretary-General for Somalia through the development of a long-term programme of advisory services for re-establishing human rights and the rule of law, and to widen the independent expert's mandate to allow him to seek and to receive information about and report on the human rights situation in Somalia. The Commission requested the independent expert to submit the report to it at its fifty-first session on conditions in Somalia and the implementation of resolution 1994/60.

198. At the present session, the Commission will have before it the report of the independent expert (E/CN.4/1995/86).

Situation of human rights in El Salvador

199. The Commission at its fiftieth session adopted resolution 1994/62, in which it decided to extend the mandate of the independent expert, Mr. Pedro Nikken (Venezuela) for one year for the purpose of providing advisory services to El Salvador and reporting on developments in human rights in El Salvador to the Commission at its fifty-first session under the agenda

item "Advisory services in the field of human rights". The Economic and Social Council, in its decision 1994/260 endorsed the Commission's decision.

200. The Commission will have before it the report of the independent expert (E/CN.4/1995/88).

Item 22. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

201. After the proclamation by the General Assembly in 1981 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (resolution 36/55), consideration of measures to implement the Declaration was taken up, at the request of the Assembly, by the Commission and the Sub-Commission.

202. At its forty-second session, in resolution 1986/20, the Commission decided to appoint a special rapporteur to examine incidents and governmental actions which were inconsistent with the provisions of the Declaration. Mr. Angelo Vidal D'Almeida Ribeiro (Portugal) was appointed Special Rapporteur; his mandate was extended by the Commission at subsequent sessions and in resolution 1992/17 for three years.

203. Following the resignation of Mr. D'Almeida Ribeiro during the forty-ninth session of the Commission, the Chairman appointed Mr. Abdelfattah Amor (Tunisia) as Special Rapporteur.

204. At its fiftieth session the Commission, in resolution 1994/18, encouraged the Special Rapporteur to continue to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend appropriate remedial measures. The Commission also requested the Secretary-General to provide all necessary assistance and resources to the Special Rapporteur to enable him to carry out his mandate and to report to the Commission at its fifty-first session.

205. In the same resolution, the Commission requested the Secretary-General to report to it at its fifty-first session on measures taken to implement resolution 1994/18.

206. At its present session, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1995/91 and Add.1) and the report of the Secretary-General (E/CN.4/1995/92).

Item 23. Drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

207. At its fortieth session, the Commission, by its decision 1984/116, decided to establish an open-ended working group to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

208. At its fiftieth session, the Commission adopted resolution 1994/96, in which it urged the working group to make every effort to complete its task and submit the draft declaration to the Commission at its fifty-first session. The Economic and Social Council, in its resolution 1994/11, authorized the working group to meet for a period of two weeks prior to the fifty-first session of the Commission.

209. At its fifty-first session, the Commission will have before it the report of the working group (E/CN.4/1995/93).

Item 24. Rights of the child, including:

(a) Status of the Convention on the Rights of the Child;

(b) Report of the Special Rapporteur on the sale of children;

(c) Programme of Action for the Elimination of the Exploitation of Child Labour;

(d) Question of a draft optional protocol to the Convention on the Rights of the Child on the prevention of the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication

Protection of children affected by armed conflicts

210. In its resolution 48/157, the General Assembly requested the Secretary-General to appoint an expert, working in collaboration with the Centre for Human Rights and the United Nations Children's Fund, to undertake a study on the protection of children affected by armed conflicts, including their participation in such conflicts and the relevance and adequacy of existing standards, and to make recommendations on ways and means of prevention, effective protection and remedial action, including also measures to ensure proper medical care and adequate nutrition, taking into account the recommendations by the World Conference on Human Rights and the Committee on the Rights of the Child. Furthermore, the General Assembly requested the Secretary-General to submit a progress report on the above study to it at its forty-ninth session and invited the Commission on Human Rights to consider the study at its fifty-first session.

211. Subsequently the Secretary-General appointed Mrs. Gracia Simbine Machel as expert on the issue of protection of children affected by armed conflicts.

212. In its resolution 1994/91, the Commission on Human Rights decided to establish an open-ended inter-sessional working group of the Commission to elaborate, as a matter of priority, a draft optional protocol to the Convention on the Rights of the Child, using as one basis for its discussions the preliminary draft optional protocol submitted by the Committee on the Rights of the Child at the fiftieth session of the Commission (E/CN.4/1994/91).

213. At the present session, the Commission will have before it the report of the working group on its first session (E/CN.4/1995/96). Also in connection with this item, the progress report of the Secretary-General to the General Assembly at its forty-ninth session on the study on the impact on children of armed conflicts (A/49/643) will be made available to the Commission.

Sub-item (a) Status of the Convention on the Rights of the Child

214. At its fiftieth session, the Commission adopted resolution 1994/91, in which it requested the Secretary-General to submit a report on the status of the Convention on the Rights of the Child to the Commission at its fifty-first session.

215. At the present session, the Commission will have before it the report of the Secretary-General (E/CN.4/1995/97) and the reports of the Committee on the Rights of the Child on its sixth (special) and seventh sessions (CRC/C/29 and CRC/C/34).

Sub-item (b) Report of the Special Rapporteur on the sale of children

216. At its forty-sixth session, the Commission adopted resolution 1990/68, in which it decided to appoint a special rapporteur to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes. On 10 September 1990, the Chairman of the Commission appointed Mr. Vitit Muntarbhorn (Thailand) as Special Rapporteur of the Commission on the sale of children.

217. At its fiftieth session, the Commission adopted resolution 1994/92 in which it requested the Special Rapporteur to continue to pay particular attention to areas which were still insufficiently documented and took note of the short, medium- and long-term priorities reflected in his recommendations to the Commission.

218. In October 1994, Mr. Muntarbhorn submitted his resignation as Special Rapporteur.

219. At its present session, the Commission will have before it a note by the Secretary-General (E/CN.4/1995/94) regarding the report of the Special Rapporteur submitted to the General Assembly at its forty-ninth session (A/49/478).

Sub-item (c) Programme of Action for the Elimination of the Exploitation of Child Labour

220. At its forty-ninth session, the Commission, in resolution 1993/79, adopted the Programme of Action on the Elimination of the Exploitation of Child Labour. The Commission requested the Sub-Commission to submit to the Commission every two years a progress report on the implementation of the Programme of Action by all States and decided to consider the question of the implementation of the Programme of Action every two years.

221. The Commission will have before it a note by the Secretary-General (E/CN.4/1995/106) transmitting the report of the Secretary-General submitted to the Sub-Commission at its forty-sixth session (E/CN.4/Sub.2/1994/34).

Sub-item (d) Question of a draft optional protocol to the Convention on the Rights of the Child on the prevention of the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication

222. In its resolution 48/156 the General Assembly requested the Commission on Human Rights to consider, during its fiftieth session, the creation of a working group to study, as a matter of priority, the elaboration of guidelines, in close contact with the Special Rapporteur, of a possible draft convention on the issues related to the sale of children, child prostitution and child pornography, as well as the basic measures required for the preventing and eradicating of this serious problem.

223. In its resolution 1994/90, the Commission decided to establish an open-ended inter-sessional working group of the Commission on Human Rights responsible for elaborating, as a matter of priority and in close cooperation with the Special Rapporteur and the Committee on the Rights of the Child, guidelines for a possible draft optional protocol on the sale of children, child prostitution and child pornography, as well as the basic measures required for their prevention and eradication.

224. In its resolution 1994/9 of 22 July 1994, the Economic and Social Council authorized the establishment of the working group.

225. At the present session, the Commission will have before it the report of the Secretary-General on the first session of the working group (E/CN.4/1995/95).

Item 25. Follow-up to the World Conference on Human Rights

226. In its resolution 1994/95, the Commission on Human Rights requested the High Commissioner for Human Rights to include in his annual report to the Commission a section on the progress towards the full implementation of the recommendations contained in the Vienna Declaration and Programme of Action, and decided to consider this question at its fifty-first session under the appropriate agenda item.

227. The Commission will have before it the report of the High Commissioner for Human Rights (E/CN.4/1995/98).

Item 26. The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service

228. The Commission on Human Rights, in its resolution 1993/84, requested the Secretary-General to transmit the text of that resolution to all States Members of the United Nations and to include the right to conscientious objection to military service in the public information activities of the

United Nations. The Commission also requested the Secretary-General to report to the Commission at its fifty-first session on the question of conscientious objection to military service, taking into account the comments provided by Governments and further information received by him.

229. At the present session, the Commission will have before it the report of the Secretary-General (E/CN.4/1995/99).

Item 27. Draft provisional agenda for the fifty-second session of the Commission

230. Rule 9 of the rules of procedure of the functional commissions of the Economic and Social Council provides that, at each session of the Commission, the Secretary-General shall submit a draft provisional agenda for the Commission's subsequent session, indicating in respect of each agenda item the documents to be submitted under that item and the legislative authority for their preparation, in order to enable the Commission to consider the documents from the point of view of their contribution to its work and of their urgency and relevance in the light of the current situation.

231. The Commission will have before it, before the conclusion of the fifty-first session, a note for its consideration containing a draft provisional agenda for its fifty-second session, together with information concerning the corresponding documentation (E/CN.4/1995/L.1).

Item 28. Report to the Economic and Social Council on the fifty-first session of the Commission

232. Rule 37 of the rules of procedure provides that the Commission shall submit to the Council a report, which shall normally not exceed 32 pages, on the work of each session containing a concise summary of recommendations and a statement of issues requiring action by the Council. It shall as far as practicable frame its recommendations and resolutions in the form of drafts for approval by the Council.

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